SINGLE BENCH

C.A. 100/

(9)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH
AT BILASPUR
W.P.NO.(S) 3362 / 2006

Petitioner :

Smt. Jyoti Kerketta
W/o Shri A.S.Kerketta,
Aged about 46 years,
Assistant Professor (Hindi)
Govt. College, Utai,
Dist : Durg-(C.G.)
R/o – H/42-B, Maroda Sector
Bhilai Nagar, Durg,
Dist : Durg-(C.G.)

P.R. No. 3421/06
Presented by Shri S.K. Thomas
dated 31/7/06

RECEIVED-COPY
CLERK to A.G. BILASPUR
1/11/06

Versus

Respondents :

1. State of Chhattisgarh
Through Its Secretary
Higher Education Department,
Mantralaya, D.K.S. Bhawan,
Raipur -(C.G.)

2. The Principle
Govt. College Utai, Dist : Durg-(C.G.)

WRIT PETITION U/A 226 / 227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(49)

आदेश पत्रक

मामला क्रमांक W.P.3362/ **सन्** 2006

..... **विरुद्ध** .....

आदेश का दिनांक आदेश मांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11-7-2006

Mr. S.K. Thomas, counsel for the petitioner.

Mr. A.S. Kachhawaha, Govt. Advocate for the State/Caveator/ respondents, on advance copy.

Heard both the counsel.

By this writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged her transfer order dated 30-6-2006 whereby she has been transferred from Utai to Bemetara. The main ground for challenge is that father-in-law of the petitioner is 85 years old and totally bedridden since last five years and husband of the petitioner is working in Bhilai Steel Plant, therefore, she is not in a position to shift her family. Being a lady member of the family, she is required to attend the needs of her father-in-law. Her daughter is also studying at Bhilai in Class-VII. These hardships have not been considered by the transferring authority.

Learned counsel for the petitioner submits that the petitioner may be allowed to make a representation to respondent No.1 and respondent No.1 be directed to decide the same to which learned Govt. Advocate for the State/ respondents has no objection.

The main grievance of learned Govt. Advocate is that since the academic session has already commenced, on account of non-availability of teachers, the students may suffer.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on merit of the case, the prayer made by learned counsel for the petitioner appears to be

(पीछे देखिये)

XI-HC-22

(15)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3362/ **सन्** **2006**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation to respondent No.1 annexing a copy of the instant writ petition within five days from today and in turn, respondent No.1 shall decide the representation of the petitioner within 15 days from the date of its receipt, in an objective manner, in accordance with law. Till the representation of the petitioner is decided, she should not be relived, if she is already not relieved. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.2589/2006 also stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	